jurisdiction, once more brings this court into line with the rule as it is generally laid down regarding this question.

PARENT AND CHILD—MARRIAGE NOT AN EMANCIPATION.—Plaintiff and defendant, both being minors above the age of consent, were married, and plaintiff (the wife) afterward secured a decree of divorce and temporary alimony. The defendant had no property, and his father claimed and received his wages and services. Consequently he failed to pay the alimony. *Held*, that he was not in contempt for the failure. *Austin* v. *Austin* (Mich. 1911) 132 N. W. 495.

This case has been criticised as opposed to the great weight of authority, which holds that "the lawful marriage of an infant, whether with or without the parent's consent, entitles the infant to his earnings for the support of his family." 25 HARV. L. REV. 295. This statement of the rule seems rather too broad. Of the two cases cited as illustrative of the weight of authority, the first, *Commonwealth* v. *Graham*, 157 Mass. 73,31 N.E. 706,while opposed to the principal case, does not hold that the infant is fully emancipated by marriage, but only that "an infant husband is entitled to his own wages so far as they are necessary for his own support and that of his wife and children." The second, *Aldrich* v. *Bennett*, 63 N. H. 415, is not in point on this question, the emancipation there being that of a female infant. Courts have been willing to hold that marriage emancipates a female infant, *Aldrich* v. *Bennett*, *supra*, and that a male infant is emancipated where his father has consented to the marriage, *Inhabitants of Taunton* v. *Inhabitants of Plymouth*, 15 Mass. 203. Further they have allowed him necessaries for the support of himself and his family. *Commonwealth* v. *Graham*, *supra*; *Inhabitants of Taunton* v. *Inhabitants of Plymouth*, *supra*. But no court, apparently, has held that a male infant is fully emancipated by marriage without his parent's consent. The textbooks state with substantial uniformity, that marriage does emancipate. TIFFANY, DOM. REL., Ed. 2, 282, but the cases cited do not support the text statement. A line of cases in Vermont is often cited to support the emancipation doctrine: *Town of Bradford* v. *Town of Lunenburgh*, 5 Vt. 481; *Town of Sherburne* v. *Town of Hartland*, 37 Id. 528; *Town of Northfield* v. *Town of Brookfield*, 50 Id. 62. These cases all arose under the pauper laws, and the question was only as to what constituted emancipation under those laws, *Town of Sherburne* v. *Town of Hartland*, *supra*. Furthermore the two latter of these cases base their decisions on a statement in the earliest case which is but *dictum*. The only cases exactly in point seem, then, to be *Com.* v. *Graham*, *supra*, *White* v. *Henry*, 24 Me. 531 and *People* v. *Todd*, 61 Mich. 234, 28 N.W. 79. It is the rule in the two latter of these cases which the Michigan court has adopted in the principal case.

SERVICE OF SUMMONS—FALSE RETURN—REMEDY.—In an action to enjoin a levy and sale under an execution issued on a judgment rendered by a justice of the peace, and to have the judgment declared null and void, because based upon a false return of service of summons. *Held*, that the return of the officer showing a service of summons in the manner pre-